

June 12, 2008

A regular meeting of the Borough Council was held in the Municipal Building on June 12, 2008. The meeting was called to order at 8:30 p.m. by Mayor Barra, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The Mayor led those present in a salute to the flag.

The following Council members answered roll call: Bernstein, LaMonica, Litt, Schoepflin, White and Mayor Barra. Mr. Strauch was absent. Also present were Mrs. McCarthy and Mr. Bole.

Mrs. White moved, seconded by Mr. Schoepflin, to approve the following minutes:

March 13, 2008 work session

April 10, 2008 work session

April 28, 2008 work session

May 22, 2008 work and regular session

On roll call, all Council members present voted yes, but Mr. Litt abstained with regard to the March 13th work session.

Before the Council for final consideration was an ordinance entitled No. 08-14 – AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE ASSESSOR FOR THE YEAR 2008 which had been passed by the Council on first reading on May 22, 2008, spread in full in the minutes of that meeting, and published in *The Record* on May 29, 2008.

The meeting was opened to the public for comments and there being none, the meeting was closed to the public.

Resolution No. 08-184 – Introduced by Mr. Bernstein, seconded by Mr. Litt

BE IT RESOLVED that an Ordinance entitled 08-14, AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE ASSESSOR FOR THE YEAR 2008 be passed upon second and final reading, and that the Borough Clerk be and is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members present voted yes.

Before the Council for final consideration was an ordinance entitled: No. 08-15 – AN ORDINANCE TO AMEND CHAPTER 120 OF THE CODE OF THE BOROUGH OF ALLENDALE ENTITLED “FEES” which had been passed on first reading on May 22, 2008, spread in full in the minutes of that meeting, and published in *The Record* on May 29, 2008.

The meeting was opened to the public for comments and there being none, the meeting was closed to the public.

Resolution No. 08-15 – Introduced by Mr. Litt, seconded by Mr. Bernstein

BE IT RESOLVED that an Ordinance entitled 08-15, AN ORDINANCE TO AMEND CHAPTER 120 OF THE CODE OF THE BOROUGH OF ALLENDALE ENTITLED “FEES” be passed upon second and final reading, and that the Borough Clerk be and is hereby authorized and directed to advertise the same according to law.

On roll call, all Council members present voted yes.

The meeting was opened to the public for comments on agenda items and there being none, the meeting was closed to the public.

The following ordinance was presented for consideration and passage on first reading:

ORDINANCE NO. 08-16

AN ORDINANCE TO ESTABLISH CHAPTER 63 OF THE CODE OF THE BOROUGH OF ALLENDALE ENTITLED “RESIDENCY EXEMPTION FOR OFFICERS AND EMPLOYEES”

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Allendale, County of Bergen and State of New Jersey as follows:

WHEREAS, New Jersey Statutes require certain officers and employees within a Borough form of government to maintain residency as a condition of employment unless the Municipality exempts such officers and employees from the residency requirements by Ordinance;

WHEREAS, the Borough of Allendale hereby determines that it does not require residency as a condition of employment;

NOW, THEREFORE, BE IT ORDAINED, AS FOLLOWS:

Section 63-1. No officer or employee of the Borough shall, as a condition of employment, be required to be a resident of the Borough.

Section 63-2.
Severability

If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable.

Section 63-3.

Repealer

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 63-4.

Effective Date

This ordinance shall take effect upon passage and publication as required by law.

Resolution No. 08-186 – Introduced by Mrs. LaMonica, seconded by Mr. Schoepflin

Be It Resolved that an Ordinance entitled No. 08-16 "An Ordinance to Establish Chapter 63 of the Code of the Borough of Allendale Entitled 'Residency Exemption for Officers and Employees' " heretofore introduced, does now pass on first reading and that said ordinance be further considered for final passage at a meeting to be held on the 26th of June at 8:30 p.m., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and meeting place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is authorized and directed to publish said ordinance according to law with notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for passage.

On roll call, all Council members present voted yes.

Resolution No. 08-194 - Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, the Planning Board approved a use permit for GE Health Care, 40 Boroline Road, Block 702, Lot 14; and

Whereas, the Governing Body has no objections to this use permit;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the Use Permit for GE Health Care be and is hereby approved.

On roll call, Mr. Litt said he is going to vote to oppose the use permit on the grounds of how it is written in the Borough Code. He hopes that the Land Use Committee can come to a resolution to better define our zoning and construction permit process. All other Council members present voted yes.

CONSENT AGENDA:

Resolution No. 08-168 – Introduced by Mrs. White, seconded by Mr. Schoepflin

BE IT RESOLVED that the following are the salaries for the Borough Employees for the year 2008 except as otherwise noted:

Angela Mattiace, Tax Assessor

Effective 5-8-08

\$36,552

On roll call, all Council members present voted yes.

Resolution No. 08-187 – Introduced by Mrs. White, seconded by Mr. Schoepflin

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated June 12, 2008.

On roll call, all Council members present voted yes.

Resolution No. 08-188 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Now, Therefore Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby appoints the following individuals as temporary Water/Sewer Department employees.

Name	Rate	Hire Date
Thomas Zachmann	\$10.00/hour	June 16, 2008
Daniel LaBarr	\$ 9.50/hour	June 16, 2008

On roll call, all Council members present voted yes.

Resolution No. 08-189 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that is hereby approves the pay rates below and appoints the following individual as a staff member for the Crestwood Lake Swim Club 2008 Season as follows:

Substitute Lifeguard

Mark Getto	\$ 9.75
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On roll call, all Council members present voted yes.

Resolution No. 08-190 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Be It Resolved that the Mayor is hereby authorized to sign an Agreement with Burgis Associates for Landscape Architect services for the Orchard Common project.

On roll call, all Council members present voted yes.

Resolution No. 08-191 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Be It Resolved that the Mayor is hereby authorized to enter into a Trust Fund Grant Agreement between the County of Bergen and the Borough of Allendale in the amount of \$500,000 to be used for the acquisition of land known as Orchard Common.

On roll call, all Council members present voted yes.

Resolution No. 08-192 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, the following have made application for the renewal of their Alcoholic Beverage Licenses; and

Whereas, all requirements in connection therewith have been met,

Now, Therefore, Be It Resolved by the Mayor and Council that the following licenses are hereby renewed for the period July 1, 2008 to June 30, 2009:

PLENARY RETAIL CONSUMPTION LICENSES

Name	License Number
Allendale Bar & Grill, Inc. 67 West Allendale Avenue	0201-33-001-002
Friends and Family, LLC t/a Restaurant L 9 Franklin Turnpike	0201-33-007-008

PLENARY RETAIL DISTRIBUTION LICENSES

The Great Atlantic & Pacific Tea Co. 45 West Allendale Avenue	0201-44-005-003
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Whereas, The Great Atlantic and Pacific Tea Company, Inc. has applied to the Allendale Council for a renewal of the Plenary Retail Distribution License applicable to the sale of alcoholic beverages to the premises located at 45 West Allendale Avenue, New Jersey, and

Whereas, the applicant has complied with all requirements applicable to the renewal of such license.

Now, Therefore, Be It Resolved that the application for the renewal of the Alcoholic Beverage Plenary Retail Distribution License for the Great Atlantic and Pacific Tea Company, Inc. at the location aforesaid for the period July 1, 2008 to June 30, 2009 be and is hereby approved subject to certain conditions.

Be It Further Resolved that the application herein granted is subject to and conditioned upon execution and compliance with a plan for the internal controls and procedures as to the sale of alcoholic beverages at the said premises submitted by the Great Atlantic and Pacific Tea Company, Inc. in a letter form dated June 27, 1987, and the following continued conditions:

1. Alcoholic beverages are to be sold at the alcoholic beverage area, courtesy counter or prescribed checkout aisles which are manned by adults, 18 years of age or older, who will require proper identification from customers.
2. Additional signs are to be posted prescribing the required minimum age of customers purchasing alcoholic beverages, and the requirements for identification and proof of age.
3. Persons selling alcoholic beverages are to conform with the proper conduct of sale of alcoholic beverages.

On roll call, all Council members present voted yes.

Resolution No. 08-193 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, on December 17, 2007, COAH proposed revised third round regulations that require municipalities with pending petitions to adopt a revised Housing Element and Fair Share Plan in conformance with the Revised third round regulations and petition in accordance with the deadlines prescribed in the proposed procedural rules; and

Whereas, COAH's current regulations at NJAC 5:94-6.12(e), allow 20 percent of monies deposited in a municipal housing trust fund account to be expended on administrative costs, which includes, but is not limited to, consultant fees necessary to develop or implement a Housing element and Fair Share Plan in accordance with COAH's proposed third round; and

Whereas, Allendale did adopt and file with the Council on Affordable Housing (the Council) to petition for substantive certification of a third round Housing Element and Fair Share Plan after adoption of the Council's third round rules and Allendale hereby commits to file its third round petition on or before December 31, 2008; and

Whereas, pursuant to NJAC 5:94-6.12(e), a municipality under the Council's jurisdiction shall not spend development fees unless the Council has approved a plan for spending such fees and until the municipality has received substantive certification or a judgment of compliance; and

Whereas, on March 25, 2008 the COAH issued a blanket waiver from NJAC 5:94-6.12(e) for municipalities with COAH approved development fee ordinances and an established housing trust fund account to allow the expenditure of up to 20 percent of housing trust funds prior to the grant of certification and/or approval of a spending plan, on the cost of developing a revised Housing Element and Fair Share Plan in accordance with COAH's new third round rules; and

Whereas, the waiver issued by the Council requires that Allendale shall pass a resolution stating the current balance in the municipal housing trust fund account and the amount proposed to be spent on developing a Housing Element and Fair Share Plan in accordance with COAH's proposed third round rules, shall not exceed 20 percent allowed for administrative costs.

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Allendale, in the County of Bergen, State of New Jersey, that Allendale commits to petition COAH for substantive certification of a newly adopted Housing Element and Fair Share Plan in accordance with COAH's new third round regulations; and

Be It Further Resolved that Allendale's current balance in the municipal housing trust fund is \$740,203.34, and the amount proposed to be spent on developing and implementing a Housing Element and Fair Share Plan in accordance with COAH's proposed third round rules shall be in an amount up to \$148,000, which does not exceed the 20 percent allowed for administrative cost; and

Be It Further Resolved that this resolution shall be submitted to COAH within seven days of the municipal governing body action.

On roll call, all Council members present voted yes.

Resolution No. 08-195 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, an application for soil movement has been filed regarding property located at 60 Burtwood Court, Block 2201.01, Lot 1.04 involving a soil movement permit to construct a pool, patio and cabana;

Whereas, the application has been filed pursuant to Section 225-1.1 of the Borough Code since it involves excavation of approximately 275 cubic yards of soil; and

Whereas, the Municipal Engineer has reviewed the application and has issued a supplemental report dated June 4, 2008, which is adopted and incorporated herein;

Whereas, the Municipal Engineer has approved the “map” associated with this application pursuant to Section 225-2 of the Code and has recommended approval of the application to the Governing Body subject to conditions;

Whereas, approval is subject to the applicant posting engineering escrow in the amount of \$750 to cover a current shortage plus anticipated additional charges by the Municipal Engineer,

Now, Therefore, Be It Resolved, by the Governing Body that it does hereby approve the soil movement application for the residence at 60 Burtwood Court, Block 2201.01, Lot 1.04 subject, however, to compliance with all conditions set forth in the report of the Municipal Engineer dated June 4, 2008 which report is attached hereto and incorporated herein.

On roll call, all Council members present voted yes.

Resolution No. 08-196 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, there is a need for animal control services in the Borough of Allendale, and

Whereas, the County of Bergen has available such services as are needed; and

Whereas, the Bergen County Department of Health Services has agreed to provide mandated and additional services in the amount of \$9,847.53, and other services in accordance with the fee schedule that is attached; and

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the contract between the Borough of Allendale and the County of Bergen for Animal Shelter services; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

On roll call, all Council members present voted yes.

Resolution No. 08-197 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, there is a need for a blood borne pathogen compliance program, and

Whereas, the County of Bergen has available such services as are needed; and

Whereas, the County of Bergen will offer annual training, record keeping and exposure control for a cost not to exceed \$2,358. Vaccine administration will be provided for an additional fee of \$45 per dose for vaccine and administration.

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this professional services agreement.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the professional services agreement between the Borough of Allendale and the County of Bergen for Health Services; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

On roll call, all Council members present voted yes.

Resolution No. 08-198 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, the Borough of Allendale seeks to enter into an Interlocal Agreement with the Village of Ridgewood for the purpose of accessing teleconferencing equipment and services for the purpose of arraigning prisoners;

Whereas, N.J.S.A. 40:8A-1, et seq, authorizes local units of government to enter into contracts with other local units of government for the provision of services;

Now, Therefore, Be It Resolved by the Borough of Allendale that it does hereby authorize and approve an Interlocal Services Agreement with the Village of Ridgewood for the services aforesaid, said Agreement to run on a calendar basis starting January 1, 2008;

Be It Further Resolved that the Mayor and Municipal Clerk be and they are hereby authorized to execute an Interlocal Services Agreement and a copy of the Agreement shall be filed and open to public inspection at the Offices of the Municipal clerk immediately after the introduction of this Resolution before the Governing Body;

Be It Further Resolved that the Agreement shall take effect upon the adoption of appropriate Resolutions by all parties thereto.

On roll call, all Council members present voted yes.

Resolution No. 08-199 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, there is a need for random alcohol and drug testing for individuals holding a commercial driver's license in the Borough of Allendale, and

Whereas, Commerce Risk Control has available such services as are needed; and

Whereas, Commerce Risk Control has agreed to provide random alcohol and drug testing services in the amount of \$64.41 for each of the sixteen Commercial Driver License holders, and

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the contract between the Borough of Allendale and the Commerce Risk Control for random alcohol and drug testing services; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

On roll call, all Council members present voted yes.

Resolution No. 08-200 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, there is a need for health services of a technical and professional nature in the Borough of Allendale, and

Whereas, the County of Bergen is able to provide health services as mandated by the Public Health Council; and

Whereas, the County of Bergen has agreed to provide sanitarian services, flu clinic, senior health programs and other health activities for a total cost of \$23,493.00 for all services; and

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the contract between the Borough of Allendale and Bergen County, and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

On roll call, all Council members present voted yes.

Resolution No. 08-201 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, there is a need for Well Child Services in the Borough of Allendale, and

Whereas, the Waldwick Board of Health is able to provide Well Child Services as mandated by the Public Health Council of the State of New Jersey; and

Whereas, the Waldwick Board of Health has agreed to provide Well Child Services for the 2008 Calendar year in the amount of a one time \$100 administrative fee and a \$35 per child per visit fee and a \$15 per child fee for immunizations only.

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the contract between the Borough of Allendale and the Waldwick Board of Health, and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said contract.

On roll call, all Council members present voted yes.

Resolution No. 08-202 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, there is a need for support for mental health services in the Borough of Allendale, and

Whereas, West Bergen Mental Health Care has available such services as are needed; and

Whereas, West Bergen Mental Health Care has agreed to provide such services in the amount of \$5,500.00 and other services in accordance with the fee schedule that is attached; and

Whereas, the Chief Financial Officer has certified that there are sufficient funds available for this contract;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the agreement between the Borough of Allendale and West Bergen Mental Healthcare; and

Be It Further Resolved, that the Mayor and Municipal Clerk be and they are hereby authorized to sign said agreement.

On roll call, all Council members present voted yes.

Resolution No. 08-203 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, an application for soil movement has been filed regarding property located at 31 Pine Road, Block 511, Lot 5.07 involving a soil movement permit to construct an addition to construct a pool and patio;

Whereas, the application has been filed pursuant to Section 225-1.1 of the Borough Code since it involves excavation of approximately 131 cubic yards of soil; and

Whereas, the Municipal Engineer has reviewed the application and has issued a supplemental report dated June 9, 2008, which is adopted and incorporated herein;

Whereas, the Municipal Engineer has approved the “map” associated with this application pursuant to Section 225-2 of the Code and has recommended approval of the application to the Governing Body subject to conditions

Now, Therefore, Be It Resolved, by the Governing Body that it does hereby approve the soil movement application for the residence at 31 Pine Road, Block 511, Lot 5.07 subject, however, to compliance with all conditions set forth in the report of the Municipal Engineer dated June 9, 2008, which report is attached hereto and incorporated herein.

On roll call, all Council members present voted yes.

Resolution No. 08-204 – Introduced by Mrs. White, seconded by Mr. Schoepflin

WHEREAS, an emergent condition has arisen with respect to paying claims until official budget is adopted and no adequate provision has been made in the 2008 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2008 pursuant to the provisions of Chapter 96, P.L. 2951 (N.J.S.40A:4-20) including this resolution total \$3,081,330.68.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.40A:4-20:

An emergency temporary appropriation be and the same is hereby made for (Budget as attached) Borough \$1,365,197.68 Water \$118,100.

That said emergency temporary appropriation will be provided for in the 2008 budget.

That one certified copy of this resolution be filed with the Director of Local Government Services.

On roll call, all Council members voted yes.

Resolution No. 08-205 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, I Squared, LLC is the owner of property known as 9 Franklin Turnpike, Lot 1 in Block 2003;

Whereas, there currently operates on such property a commercial establishment, commonly known as Restaurant L;

Whereas, the current zone of the property is A Residential;

Whereas, the owner has previously obtained from the Allendale Zoning Board of Adjustment a Certification of Non-Conforming Use pursuant to N.J.S.A. 40:55D-68;

Whereas, I Squared, LLC has now requested that the Mayor and Council refer to the Planning Board a request to investigate the re-zoning of the property from A Residential to C-1 Business Zone;

Now, Therefore, Be It Resolved, that the Mayor and Council does hereby refer this matter to the Planning Board, pursuant to N.J.S.A. 40:55D-26 with a request that the Planning Board investigate whether or not the subject property should be considered for re-zoning from A Residential to the C-1 Business Zone.

On roll call, all Council members present voted yes.

Resolution No. 08-206 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, bids were received by the Borough on May 29, 2008, for the project known as “Park Avenue Water System Improvements” ;

Whereas, a total of eight (8) contractors obtained plans and specifications and six (6) bids were received;

Whereas, after reviewing all of the bid documents, the Consulting Water Engineer has recommended that the Borough award the alternate base bid contract;

Whereas, the bid documents have been reviewed and it has been determined that Jo-Med Contracting Corp. is the lowest responsible, responsive bidder for the alternate base bid in the amount of Forty One Thousand Five Hundred (\$41,500.00) Dollars;

Whereas, the Chief Financial Officer has attached hereto a certification that adequate funds have been duly budgeted to pay for the contract;

Now, Therefore, Be It Resolved by the Governing Body that it does hereby award a contract for the above-referenced project to Jo-Med Contracting Corp. in the alternate base bid amount of Forty One Thousand Five Hundred (\$41,500.00) Dollars;

Be It Further Resolved, that the Mayor and Municipal Clerk are hereby authorized to execute a contract with said contractor following legal review.

On roll call, all Council members present voted yes.

Resolution No. 08-207 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, an application for soil movement has been filed regarding property located at 4 Butternut Road, Block 1304, Lot 39 involving a soil movement permit for a building addition;

Whereas, the application has been filed pursuant to Section 225-1.1 of the Borough Code since it involves excavation of approximately 213 cubic yards of soil; and

Whereas, the Municipal Engineer has reviewed the application and has issued a supplemental report dated June 10, 2008, which is adopted and incorporated herein;

Whereas, the Municipal Engineer has approved the “map” associated with this application pursuant to Section 225-2 of the Code and has recommended approval of the application to the Governing Body subject to conditions;

Now, Therefore, Be It Resolved, by the Governing Body that it does hereby approve the soil movement application for the residence at 4 Butternut road, Block 1304, Lot 39 subject, however, to compliance with all conditions set forth in the report of the Municipal Engineer dated June 10, 2008 which report is attached hereto and incorporated herein.

On roll call, all Council members present voted yes.

Resolution No. 08-208 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, the Borough of Allendale has a need to acquire professional services for a licensed real estate appraiser hereinafter noted as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5;

Whereas, the term of the hereafter mentioned contract is from June 12, 2008 through December 31, 2008;

Whereas, it is contemplated that the temporary and permanent budgets will contain the necessary appropriations estimated to be reasonably required for each such service set forth herein;

Now, Therefore, Be It Resolved by the Borough of Allendale that the following appointment is hereby made for the period between June 12, 2008 and December 31, 2008: LOUIS IZENBERG, real estate consultant, of Izenberg Appraisal Associates, 400 Lanidex Plaza, Parsippany, New Jersey 07054 at a cost not to exceed Five Thousand (\$5,000.00) Dollars;

Be It Further Resolved, that the appropriate borough officials be and are hereby authorized to execute contracts with the professional named herein for the services to be rendered;

Be It Further Resolved that a copy of this resolution be filed with the municipal clerk and be made available for inspection, and that a brief notice of the

passage thereof be published in The Record within ten days of the passage as required by law.

On roll call, all Council members present voted yes.

Resolution No. 08-209 – Introduced by Mrs. White, seconded by Mr. Schoepflin

Whereas, an application for soil movement has been filed regarding property located at 8 Giancarlo Court, Block 910, Lot 9.02 involving a soil movement permit to construct a new dwelling, driveway and patio;

Whereas, the application has been filed pursuant to Section 225-1.1 of the Borough Code since it involves excavation of approximately 750 cubic yards of soil; and

Whereas, the Municipal Engineer has reviewed the application and has issued a supplemental report dated June 10, 2008, which is adopted and incorporated herein;

Whereas, the Municipal Engineer has approved the “map” associated with this application pursuant to Section 225-2 of the Code and has recommended approval of the application to the Governing Body subject to conditions;

Whereas, approval is subject to the applicant posting an additional \$600 for a performance guarantee to total \$3000,

Now, Therefore, Be It Resolved, by the Governing Body that it does hereby approve the soil movement application for the residence at 8 Giancarlo Court, Block 910, Lot 9.02 subject, however, to compliance with all conditions set forth in the report of the Municipal Engineer dated June 10, 2008 which report is attached hereto and incorporated herein.

On roll call, all Council members present voted yes.

Resolution No. 08-210 – Introduced by Mrs. White, seconded by Mr. Schoepflin

WHEREAS, there is a request by the Allendale Chamber of Commerce to hold the Allendale Festival Day on Saturday, October 4, 2008 from 9:00 a.m. to 5:00 p.m., and WHEREAS, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive.

WHEREAS, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, the Fire Department and the Department of Public Works;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that this request be and is hereby approved.

On roll call, all Council members present voted yes.

NEW BUSINESS:

Mayor Barra said he is sure the Council recalls previous discussion about special needs housing at Orchard Common. At that time the Council indicated it should proceed with looking into it. Today he received a call from Bergen United Way, a group that has been working with the Borough to assist in the process. They indicated they are in the process

of preparing the initial application to the Housing and Finance Authority. They want to submit the application by June 20 in order to meet some deadlines in order to get the process started. The Mayor said he will need the Council to give him the authority to sign that application. The Borough Attorney suggested that the Council make such a motion this evening with a formal resolution presented at the next meeting on June 26. .

Mr. Schoepflin moved, seconded by Mrs. LaMonica to authorize the Mayor to sign the application to the New Jersey Finance and Housing Authority, Special Needs Housing Division. On roll call, all Council members voted yes.

COMMITTEE REPORTS:

Facilities, Parks and Recreation

Mrs. White reported that Crestwood Lake is open and running with much success based on the crowds in the parking lot. The Lake Director did extend the hours to 6 p.m. on Monday and Tuesday because of the heat. The Facilities Committee meeting is scheduled to meet on the 24th at 8:30 a.m. The ASA met on Tuesday night and a lot was accomplished.

Mr. Litt asked how the concession is doing. Mrs. White said the food seems to be good but the problem is the lines are very long. It will be necessary to contact the concessionaire and suggest that he bring in some additional staff.

Public Safety

Mr. Litt said no progress has been made with regard to the bees, but a meeting with the Board of Health is scheduled towards the end of June for their input. The Committee met with the police last Friday and continues to focus on crime and traffic safety issues. At the last meeting he reported that there had been a consistent pattern of auto break-ins but they believe they have caught the individual who was involved in this. Regarding traffic statistics, at the last meeting he reported that crashes were at an all time low, but for some reason they seem to be increasing. There have been some concerns about the lighting under the overpass on Orchard and they are looking into any engineering issues that can be addressed to enhance visibility. Sgt. Griffith will be again focusing on placing signs around the Celery Farm and he will be asking for the cooperation of the Director of Operations in getting the signs made and installed.

Land Use and Construction Code

Mr. Bernstein reported that on June 20th the Committee will meet and hopes to bring the use permit discussion to a conclusion.

Water, Sewer and Public Utilities

Mr. Schoepflin said a Committee meeting is scheduled for Wednesday at 11 a.m. There are a lot of open issues that he hopes will be resolved.

Administration, Finance and Personnel – No report.

On behalf of Mr. Strauch, Mrs. White reported that he hosted an opening meeting on Tuesday night for the Bikeway Citizens Advisory Committee, and it was very well attended.

STAFF REPORTS:

Borough Attorney – No report.

Borough Clerk

Mrs. McCarthy reported that Miss Gordon and Mrs. Knapp are proceeding with special projects given them by the IT Committee. Miss Gordon is compiling a computer IT encyclopedia containing an inventory of the Borough's software, hardware, etc. and Mrs. Knapp is investigating the filing storage of the Borough's various departments. As an update on the upcoming general election, she said the Borough currently has 1766 unaffiliated voters, 1722 Republicans and 856 Democrats.

Mayor Barra thanked Mrs. McCarthy for the tremendous job she did this week in preparing for this Council meeting with its record number of resolutions.

Director of Operations

Mr. Cauwenberghs commented that the signs Mr. Litt referred to in his report have been ordered. A final check has been received from FEMA in the amount of \$9,981.15 for damage caused by the April 2007 Nor'easter. The ARC softball playoffs are scheduled for this weekend so the season is coming to an end; the DPW is prepared for tomorrow's movie night at Crestwood, and the new fire truck has arrived.

The meeting was opened to the public for comments.

John Koster of the Villadom Times asked about the situation with Waldwick and the closing of Chestnut Street. The DOT has asked both towns to prepare a resolution accepting the closing and Allendale has already done that. Mayor Barra said the reports the Borough has received from various safety experts indicate that something needs to be addressed at that railroad crossing. The Borough will continue discussions and hopefully reach some accommodation to make it a safer crossing.

Mr. Koster asked what is the proposal for the housing at Orchard Common. Mayor Barra said the Borough is seeking special needs housing from the Special Needs Trust who have given the Borough indication that they are amenable to paying land acquisition costs to the Borough to some extent and will pay the full cost of construction including engineering, architects, the construction itself as well as the continuing maintenance and upkeep.

There being no further comments, the meeting was closed to the public.

On a motion by Mr. Schoepflin, seconded by Mrs. White, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Gwen McCarthy
Borough Clerk